



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Informal Public Hearing Meeting Date:** October 26, 2015

**Common Council Public Hearing Meeting Date:** November 18, 2015

**Item:** Rezone Property Tax #'s 31-1-7301-02, 31-1-7301-03, 31-1-7301-04, 31-1-7301-05, 31-1-7301-06 and 31-1-7301-07 from PD/C-2 Planned Development General Commercial District #6-00 to PD/C-2 Planned Development General Commercial District #5-15 with a new Development Plan and Implementation Plan Document

**Case Manager:** Don Harp

### GENERAL INFORMATION

**Owner/Applicant:** Dennis Long, Owner  
Dean Dequaine, Consolidated Construction Co. Inc., Applicant

**Parcel #:** 31-1-7301-02, 31-1-7301-03, 31-1-7301-04, 31-1-7301-05, 31-1-7301-06 and 31-1-7301-07

**Petitioner's Request:** The proposed Assisted Living Residential Facility Community will allow for a complementary development to several parcels at this location. This will require a modification to the existing PD/C-2 overlay to allow combining lots 96, 97, 98, 99 needed for the development as well as creating further development opportunities for the northern lots 95 and 100. Access for the new development and vacant lots will be from French Road. (See attached narratives Exhibits G and H)

### BACKGROUND

This land was part of the 1997 Northeast Annexation and zoned R-1A when it came into the City.

Planned Development Rezoning (#6-00) for the subject site was approved by the Plan Commission on May 8, 2000, and by the Common Council on June 7, 2000.

The Development Plan and Implementation Plan Document for Planned Development Rezoning (#6-00) was recorded on August 20, 2001 with the Outagamie County Register of Deeds as Document No. 1422673.

### STAFF ANALYSIS

#### **Existing Site Conditions:**

The subject site is undeveloped. The site abuts Edgewood Drive (C.T.H. "JJ") to the north, French Road to the east and a drainage corridor to the west. There are constraints on the site which slightly impact site design but do not prohibit development of the subject site. There is a 50 foot protective area setback on the western portion of the site, a 55 foot building setback from along Edgewood Drive (C.T.H. "JJ"), no direct access to Edgewood Drive (C.T.H. "JJ") per Outagamie County Highway Department, a wetland

**STAFF ANALYSIS (continued)**

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area on the western portion of the site, a 30 foot wide private ingress/egress easement and two 8-foot wide utility easements located on both sides of the ingress/egress easement are located on the site. Drive aisles may be located on the ingress/egress easement but structures may not.

**Purpose of the PD Rezoning:** The existing Planned Development (PD#6-00) does not allow Assisted Living/Community Based Residential Facility as a permitted land use. Therefore, any change to the land uses, ordinance exceptions and building layout requires a new rezoning and development and implementation plan to be prepared and submitted to the City for review and approval.

**Existing Planned Development:** The PD/C-2 #6-00 zoning classification was established to provide a commercial sector in this part of the City with the following potential land uses occupying two commercial buildings at ± 28,500 square feet in area (building foot print):

1. Broadcast facilities, Laboratories and Testing facilities
2. Group day care, Group Housing
3. Indoor entertainment, Amusement Arcade
4. Retail sales, Car Wash, Gasoline sales, Produce stands
5. Medical and Veterinary clinic
6. Museums, Place of Worship, Schools, Vocational and Rehabilitation facilities
7. Personal and Professional services, Distribution and Moving Centers, Office
8. Restaurant with Alcohol sales, Micro Brewery, Food and Beverage Processing and Packaging

**Proposed Planned Development:** The proposed PD/C-2 #5-15 zoning classification is intended to provide an assisted living community with memory care for individuals who are seeking a safe, healthy, social place to live and as well as employment opportunities. The following are the potential land uses designated for PD/C-2 #5-15:

1. Assisted Living/Community Based Residential Facility (CBRF) – Licensed capacity maximum 76 beds
2. Group day care
3. Offices
4. Veterinarian Clinics
5. Professional Services

**Development Summary:** The proposed Planned Development (PD #5-15) would facilitate the construction of two separate buildings, one building containing 36 beds of Assisted Living/Community Based Residential (CBRF) and the second building containing 20 beds of Memory Care. The Assisted Living/Community Based Residential (CBRF) facility building is 23,778 square feet in area, the Memory Care building is 13,413 square feet in area, and the exterior appearance of the buildings would complement each other. Care Partners anticipates employing 34 staff members to operate both facilities 24 hours a day. The Care Partners Assisted Living facility will be state licensed as a “Class C” non-ambulatory (CNA).

**Development Summary (continued):**

- A class C semi-ambulatory CBRF serves only residents who are ambulatory or semi-ambulatory, but one or more of whom are not physically or mentally capable of responding to a fire alarm by exiting the CBRF without help or verbal or physical prompting.

Vehicular access to the proposed off-street parking lot and two undeveloped parcels would be provided by shared ingress/egress easement from French Road. There are no immediate development plans submitted for the two parcels along Edgewood Drive (C.T.H. “JJ”).

**Ordinance Exceptions:** With the PD Overlay District, the City of Appleton coordinates with the developer to promote an integrated development project that is beneficial to the occupants of the development, as well as the neighboring properties to create the most beneficial use of the property. In order to do this, exceptions are sometimes needed to make the overall development work. The applicant is requesting the following Zoning Ordinance exception:

Section 23-52(b)(2)(a) of the Municipal Code, states: “The total capacity of all CBRFs in an aldermanic district may not exceed one percent (1%) of the total population of that aldermanic district.” The Aldermanic District is over the 1% threshold, and the applicant is requesting an ordinance exception to this requirement.

Listed below are details explaining how the subject CBRF development relates to these Zoning Ordinance requirements and Aldermanic District 13.

- The proposed licensed capacity of CBRFs within Planned Development (PD#5-15) is 76 persons.
- The population of the aldermanic district is 4,796 people (2010 census).
- Maximum licensed CBRF capacity (1% of the aldermanic district population) is 47 persons.
- Current licensed and proposed (Century Oaks CLA) capacity of all existing CBRFs in Aldermanic District 13 is 166 persons.
- The subject CBRF will elevate the licensed CBRF capacity of the aldermanic district to 242 persons.
- The proposed capacity of the subject CBRF will exceed the allowed 1% district capacity.
- An exception to the capacity limit of all CLAs in the aldermanic district may be granted at the discretion of the City pursuant to Section 23-151(f).

It is important to note the population of the City is approximately 72,623 people (2010 census). One percent of the total City population is 726. The licensed capacity of all existing CBRFs in the City is 410, and the subject CBRF will elevate the CBRF licensed capacity of the City to 486. The proposed capacity of the subject CBRF will not exceed the one percent City capacity.

The capacity limits were set by the Wisconsin legislature in 1978 and are intended to preserve the established character of a neighborhood and community.

**Findings:** This exception represents an effort to promote an integrated development which provides housing choices to individuals that would not be possible under the strict application of Section 23-52(b)(2)(a) of the Zoning Ordinance. As a result, it would appear the criteria established for an ordinance exception has been satisfied.

**Surrounding Zoning Classification and Land Uses:**

North: P-I Public Institutional District, Drainage ditch

South: R-1B Single Family Residential District, Single-family residential

East: R-1A Single Family Residential District, Single-family residential

West: NC Nature Conservancy District, Drainage ditch

**Appleton Comprehensive Plan 2010-2030:** The City of Appleton 2010-2030 Comprehensive Plan identifies this lot for future commercial and multi-family land uses. The proposed PD/C-2 #5-15 designation is consistent with the Future Land Use Map and Plan.

*Goal 1 – Community Growth*

*Appleton will continue to provide opportunities for residential, commercial, and industrial growth, including appropriate redevelopment sites within the downtown and existing neighborhoods and greenfield development sites at the City's edge.*

*Goal 3 – Housing Quality and Affordability*

*Appleton will provide a variety of rental and ownership housing choices in a range of prices affordable to community residents, and ensure that existing housing is adequately maintained in terms of physical quality and market viability.*

**OBJECTIVE 5.3 Housing and Neighborhoods:**

*Provide a range of housing styles that meet the needs and appeal to all segments of the community.*

**OBJECTIVE 10.1 Land Use**

*Provide an adequate supply of suitable land meeting the demand for development of various land uses.*

**Review Criteria:** Based upon the above analysis it would appear the criteria established by Section 23-151 (d) and (o) PD Planned Development Overlay District has been satisfied.

**Technical Review Group Report (TRG):** This item was discussed at the October 6, 2015 Technical Review Group meeting. The following comments were received from participating departments.

- The Department of Public Works recommends the proposed driveway along French Road be relocated to the south by 25 feet in order to avoid conflict with the future left turn lane median proposed for French Road in the future.

## **RECOMMENDATION**

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Staff recommends based upon the standards for zoning map amendments as required by Section 23-151(d) and (o) of the Zoning Ordinance, to rezone Property Tax #'s 31-1-7301-02, 31-1-7301-03, 31-1-7301-04, 31-1-7301-05, 31-1-7301-06 and 31-1-7301-07 from PD/C-2 Planned Development General Commercial District #6-00 to PD/C-2 Planned Development General Commercial District #5-15, with the attached Development Plan and Implementation Plan Document, including the adjacent right-of-way as shown on the map, **BE APPROVED** subject to the following:

1. Prior to issuance of Building Permits, Implementation Plan Document for Planned Development District #5-15 must be finalized and recorded in the Outagamie County Register of Deeds Office.
2. Prior to issuance of Building Permits, a Certified Survey Map to combine Property Tax #'s 31-1-7301-03, 31-1-7301-04, 31-1-7301-05, and 31-1-7301-06 shall be submitted to the City for review and approval.
3. Exhibit D shall show the proposed driveway along French Road being relocated to the south by 25 feet in order to avoid conflict with the future left turn lane median proposed for French Road in the future.

NOTE TO THE PREPARER: Read this document carefully and assure all items apply to the specific development, e.g. #3 could list exact number of spaces, #8 might not be included, etc. Retype this document and complete the Yellow highlighted areas. The space to the right of the vertical line must be left blank for Register of Deeds' recording information. City staff completes the gray highlighted areas.

## IMPLEMENTATION PLAN DOCUMENT FOR PLANNED DEVELOPMENT

### PLANNED DEVELOPMENT DESIGNATION

This Planned Development Designation, to be known as French Quarter Properties, LLC is approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the Common Council of the City of Appleton, Wisconsin, a Wisconsin Municipal Corporation, (hereinafter referred to as the "City") for certain real property located in Appleton and described in attached Exhibit "F" (hereinafter referred to as the "Property"). This Implementation Plan Document for Planned Development (PD) # \_\_\_\_\_ is made and entered into by and between French Quarter Properties, LLC (hereinafter referred to as the "Owner/Developer") and the City.

WHEREAS, Section 23-151 of the Appleton Municipal Code requires the recordation of an Implementation Plan Document for Planned Developments undertaken in the City; and

WHEREAS, the actual Implementation Plan Document contemplated under the aforementioned Ordinance is too voluminous and cumbersome for easy recordation by the Outagamie County Register of Deeds; and

WHEREAS, the parties hereto wish to notify all interested parties of the existence of said Implementation Plan Document;

NOW, THEREFORE, in consideration of the foregoing recitals, the Owner/Developer and the City hereby notify all interested parties as follows:

1. **Existence of Implementation Plan Document for PD # \_\_\_\_\_**. The parties hereto have entered into mutually agreeable Development and Implementation Plans for the Property. This designation establishes the general uses which shall be permitted on the property, a general development plan, a specific implementation plan and a statement of development guidelines and conditions that must be complied with by the Owner/Developer and all subsequent property

**Record and return copy to:**

City of Appleton  
Community & Economic Development Department  
100 N. Appleton Street  
Appleton, WI 54911



owners or agents of the property owners. This designation also specifies improvements that must be made and conditions that must be fulfilled in conjunction with this designation by the Owner/Developer.

2. **Location of Implementation Plan Document.** The Implementation Plan Document for PD # [REDACTED] approved by Appleton Common Council action on [REDACTED], 20 [REDACTED] and executed by the parties on the date of filing with the Outagamie County-Register of Deeds' office is on file with the Appleton Community and Economic Development Department, 100 North Appleton Street, Appleton, WI, and is subject to review and reproduction by all interested parties upon request.
3. **Subsequent Purchasers.** A Planned Development (PD) is a zoning overlay district under the City of Appleton Zoning Ordinance. The Implementation Plan Document exists for Planned Developments (PDs) under this zoning category and are covenants that run with the land. Accordingly, all future purchasers of property zoned PD should become familiarized with the individual requirements attached to that specific property.
4. **Amendments to the Recorded Development Plans and Implementation Plan Document.** Pursuant to Section 23-151 of the Appleton Municipal Code, major changes in a PD require approval by the City Council and subsequent recording of the amendment. The Community and Economic Development Director may approve Minor Amendments.
5. **Development Guidelines and Conditions.** The Development Guidelines and Conditions include, but are not limited to, the following:

A. **ALLOWED LAND USES**

1. The land uses as listed below are allowed in PD # [REDACTED].
  - a. Professional Services
  - b. Day Care Group
  - c. Offices
  - d. Veterinarian Clinics
  - e. Assisted Living/Community Based Residential Facility (CBRF)
2. In addition to the land uses allowed in the underlying district, the following land uses are consistent with the land use regulation exception criteria established by Appleton Municipal Code Section 23-151 and are allowed land uses in PD # [REDACTED]:

- a. None

**B. DEVELOPMENT STANDARDS**

1. **Principal Use** All principal uses, buildings and structures shall comply with the minimum development standards lot area, lot width, front, rear and side yard setbacks, building height, other requirements, excluding maximum lot coverage) of the underlying zoning district of Chapter 23, Appleton Zoning Code as now in effect or hereafter amended unless customized development standards are authorized or specifically identified as an ordinance exception. (See below)

***Principal Uses, Buildings and Structures Development Standards:***

- Minimum Lot Area: 14,000 square feet.
- Minimum Lot Width: 60 feet.
- Front Lot Line (Edgewood Drive (C.T.H. "JJ")): Building setbacks are 55 feet minimum in accordance with Outagamie County Requirements per Nesting Meadow III Subdivision Plat or subsequent recorded document.
- Front Lot Line (French Road): Building setbacks are 10 feet minimum.
- Side Lot Line: 10 feet.
- Rear Lot Line: 20 feet.
- Navigable Waterway: 50 foot "Protective Area" measured from the "Top of Channel" in accordance Chapter NR 151 per Nesting Meadow III Subdivision Plat or subsequent recorded document.

*Note: Per NR151.002 (46) "Top of the channel" means an edge, or point on the landscape landward from the ordinary high water mark of a surface water of the state, where the slope of the land begins to be less than 12% continually for at least 50 feet. If the slope of the land is 12% or less continually for the initial 50 feet landward from the ordinary high water mark, the top of the channel is the ordinary high water mark.*

- Maximum building height 29 feet.

***Development Standard Ordinance Exceptions: N/A***

2. **Accessory uses, building and structures** – All Accessory uses, buildings and structures shall comply with the development standards (front, rear and side yard setbacks, building height and other requirements) of Chapter 23, Appleton Zoning Code as now in effect or hereafter amended unless customized development standards are authorized or specifically identified as an ordinance exception. (See below)



***Development Standard Ordinance Exceptions: N/A***

3. **Off-Street Parking and Loading Standards** – All uses established, expanded, change in use shall provide off-street parking space(s), stacking space(s), bicycle parking/rack space and loading space(s) in accordance with the requirements of Chapter 23, Appleton Zoning Code as now in effect or hereafter amended unless customized standards are authorized or specifically identified as an ordinance exception. (See below)

***Off-Street Parking and Loading Standard Ordinance Exceptions: N/A***

4. **Outdoor Lighting Standards** – All outdoor lighting shall comply with Chapter 23, Appleton Zoning Code as now in effect or hereafter amended unless customized standards are authorized or specifically identified as an ordinance exception. (See below)

***Outdoor Lighting Standard Ordinance Exceptions: N/A***

5. **Landscaping Standards** – Landscaping improvements shall be required as part of any site plan. Landscaping shall conform with the requirements of the City's Landscape Standards, including but not limited to, plantings around the parking/driveway areas, the dumpster enclosures, and the base of the ground signs. A detailed Landscape Plan shall be prepared and submitted to the Community and Economic Development Department as part of the Site Plan Review and approval process pursuant to Chapter 23, Appleton Zoning Code as now in effect or hereafter amended unless customized standards are authorized or specifically identified as an ordinance exception. (See below)

***Landscaping Standard Ordinance exceptions: N/A***

6. **Sign Standards** – All signs shall comply with the Chapter 23, Appleton Zoning Code as now in effect or hereafter amended unless customized standards are authorized or specifically identified as an ordinance exception. (See below)

***Sign Standard Ordinance exceptions: N/A***

7. **Design Standards**

The exterior building materials and colors of all buildings shall be compatible and consistent with the materials and colors, as shown on Exhibit "E". Any future buildings, building additions or building alterations shall be compatible with this theme, as shown on Exhibit "E" and the building materials listed below. Color renderings of the exterior of the building(s) are required to be submitted to the Community and Economic Development Department as part of the Site Plan Review and approval process.

- Roofing type and color: Dimensional Asphalt Shingles in Brown Tones.
- Type and color of soffit and fascia: Aluminum soffit and Fascia in Cream

Tones.

- Type and color of window trim: Hardi-Plank Trim in Cream Tones.
- Type and color of exterior doors: Anodized Bronze Aluminum Storefront.
- Exterior wall (north, south, east west elevations) type and color: Combination = Brick/Stone in Brown Tones with Precast Concrete Sill, 1<sup>st</sup> Siding is Hardi-Plank in Dark Brown/Gray Tones, 2<sup>nd</sup> Siding Hardi-Plank simulated cedar shakes in brunt red tones.

**8. Designated Open Space Areas**

Open Space Areas. Open Space Areas may either be passive or active in nature and shall fully complement the Property. Such open space may take the form of required building setbacks, landscaped green space, nature walks and natural areas.

PD # [ ] shall provide permanent open space areas equivalent to the following percent of gross area of the PD overlay district, unless customized standards are authorized or specifically identified as an ordinance exception.

The permanent open space areas be shown and identified on Exhibit "D" attached, which demonstrates 30% open space shall remain open and free from all improvements except for green space, nature walks, natural areas & landscaped areas.

***Open Space Standard Ordinance exceptions: N/A***

**9. Community Living Arrangement (CLA) Capacity Requirement.**

a. Total Maximum licensed capacity: Current Development (56) Residents, Future Development (20) Residents.

***Ordinance exception:*** Section 23-52(b)(2)a. of the current Zoning Ordinance supp. 85, states "The total capacity of all CLA's within any aldermanic district may not exceed 1% of the total population of that aldermanic district."

An exception to exceed the CLA capacity limit per Section 23-52(b)(2)a. above for Aldermanic District 13 has been approved by Appleton Common Council on [ ], 20 [ ].

**10. Site Plan Review** is required for PD# [ ] prior to the issuance of building permits pursuant to Chapter 23, Appleton Zoning Code as now in effect or hereafter amended.

**11. Words and Terms Defined** – All words and terms wherever they occur in this Implementation Plan Document for PD # [ ], shall be defined and interpreted in accordance with Chapter 23, Appleton Zoning Code as now in effect or hereafter amended. Words not defined in Chapter 23, Appleton Zoning Code



shall be interpreted in accordance with Wisconsin State Statutes or Wisconsin State Administrative Code as now in effect or hereafter amended.

- C. **PLATTING REQUIREMENTS** – No person, firm or corporation shall combine lots, adjust lot lines, or divide any land within the jurisdictional limits of these regulations which results in a lot combination, lot line adjustment, subdivision, minor land division, or a replat as defined herein; no such lot combination, lot line adjustment, subdivision, minor land division, or replat, as defined herein shall be entitled to recording and no street shall be laid or public improvement made to land without compliance with all requirements of Chapter 17 of the Municipal Code.
- D. **INSTALLATION OF REQUIRED IMPROVEMENTS** – The installation of all required improvements including but not limited to driveway access, stormwater, streets, sidewalks, bike paths, water systems, sewer systems, fire protection, utilities shall be in accordance with all applicable City Appleton regulations.

E. **GENERAL PROVISIONS**

1. **Enforcement**

The provisions of the French Quarter Properties, LLC is Planned Development designation and the development plan relating to the use of the land shall be effective and in force unless so amended as required by the Appleton Municipal Code Section 23-151.

2. **Breach of Provisions of PD Designation**

If at any time any provision or requirements stated in the French Quarter Properties, LLC Planned Development designation have been breached by the Owner/Developer, the City may withhold approval of any or all platting or the issuance of any or all grading or building permits or occupancy permits applied for on the property, until such breach has been remedied.

3. **Binding Effect**

This French Quarter Properties, LLC Planned Development designation shall run with the land and be binding upon the Owner/Developer, their respective successors, representatives and assigns, and all persons who may hereafter acquire an interest in the Property or any part thereof, with the exception that provisions of this designation may be modified through an amendment in accordance with the procedure stated in the Appleton Municipal Code Section 23-151. This designation shall be recorded in order to put prospective purchasers or other interested persons on notice as to the terms contained herein.

4. **Entire Designation**

This designation contains all provisions and requirements incumbent upon the Owner/Developer relative to French Quarter Properties, LLC PD#     , except as modified by subsequent action of the Appleton Common Council in accordance with procedures set forth in the Appleton Municipal Code Section 23-151 to amend planned developments, and except that nothing contained herein shall be

construed as waiving any requirements of the Appleton Municipal Code or other regulations otherwise applicable to the development of the Property.

**5. Period of Validity**

The Implementation Plan and Development Plan Exhibits "D" & "E" as approved by the Common Council shall remain valid of a period of one (1) year during which time a building permit must be applied for and received. If the applicant does not apply for and receive a building permit within one (1) year from the date of Common Council approval of PD overlay district PD# [REDACTED], Development Plan and Implementation Plan Document (IPD), the Development Plan and Implementation Plan Document (IPD) will constitute abandonment of the PD overlay district and related approvals, and any assumed development rights over that allowed through the underlying zoning district and shall be subject to the regulations in Section 23-151, Proof of validity and expiration of plans, of this chapter.

**6. Recording of Development Plan and Implementation Plan Document (IPD)**

This designation must be signed by both the City and the Owner/Developer and must be recorded by the French Quarter Properties, LLC in the Outagamie Register of Deeds' Office and a recorded copy of the Development Plan and Implementation Plan Document (IPD) shall be provided to the Community and Economic Development Department. This constitutes approval of the Development Plan and Implementation Plan Document (IPD), conditions applied, modifications and any density premiums, which may be granted, and exceptions, if any, to the plan shown in the application ordered by the Common Council.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_  
Owner

Title:

By: \_\_\_\_\_  
Owner

Title:

STATE OF WISCONSIN       )  
  )ss  
COUNTY OF \_\_\_\_\_)

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
the above named \_\_\_\_\_, and \_\_\_\_\_,  
to me known to be the persons who executed the foregoing instrument and  
acknowledged the same in the capacity and for the purposes therein intended.

\_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission expires

The above Implementation Plan for PD # \_\_\_\_\_ was drafted by the undersigned at the request of the Property Owner.

Dean Dequaine  
\_\_\_\_\_  
Drafter's Signature

\_\_\_\_\_  
Date

Approved as to form:

CITY OF APPLETON, a Wisconsin  
Municipal Corporation

\_\_\_\_\_  
Appleton City Attorney

By: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

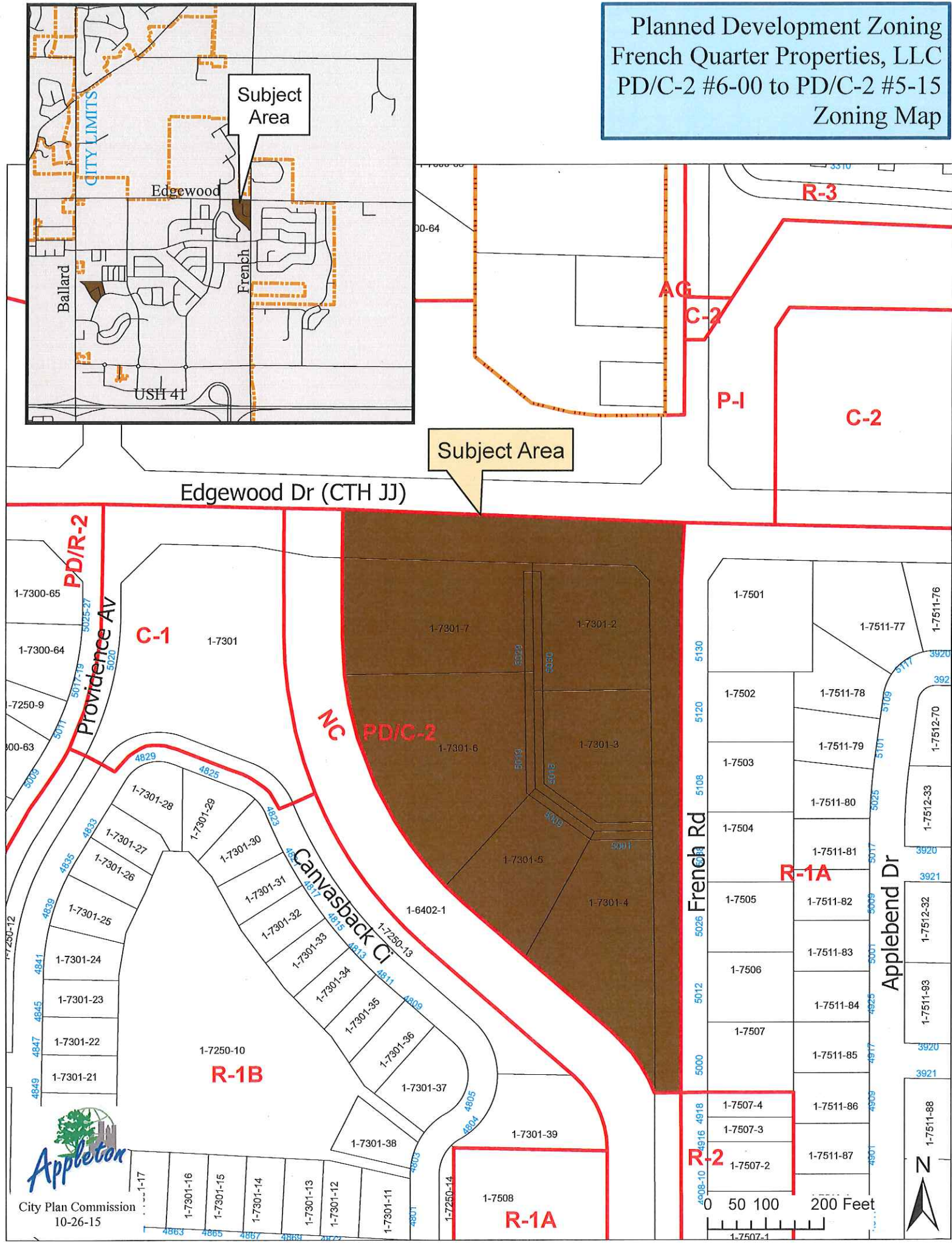
STATE OF WISCONSIN     )  
                                      )ss  
COUNTY OF OUTAGAMIE    )

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above-named Mayor of City of Appleton, and City Clerk of City of Appleton, to me known to be the persons who executed the foregoing instrument and acknowledged the same in the capacity and for the purposes therein intended.

\_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission expires



Planned Development Zoning  
 French Quarter Properties, LLC  
 PD/C-2 #6-00 to PD/C-2 #5-15  
 Zoning Map



City Plan Commission  
 10-26-15



# LOCATION MAP



c:\projects\0046\9150605\02 cam rezoning\LOCATION MAP.dwg, model, Plot Date: 9/29/2015 10:17 AM, xrefs: (perclis\_co-outagamie\_2015\_05\_19\_road\_co-outagamie)

**McMAHON**  
ENGINEERS ARCHITECTS

Project No. C0046 9150605.02 Date SEPT., 2015 Scale 1"=120'

Drawn By CWK. Field Book            Page           

1445 McMAHON DRIVE NEENAH, WI 54956  
Mailing: P.O. BOX 1025 NEENAH, WI 54957-1025  
Tel: (920) 751-4200 Fax: (920) 751-4284

File No.

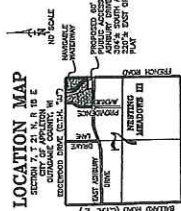
### NESTING MEADOWS III

PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 7, TOWN 21 NORTH, RANGE 18  
EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

There are no objections to this plat with respect to  
Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2),  
Wis Stat., as provided by s. 236.12, Wis. Stat.

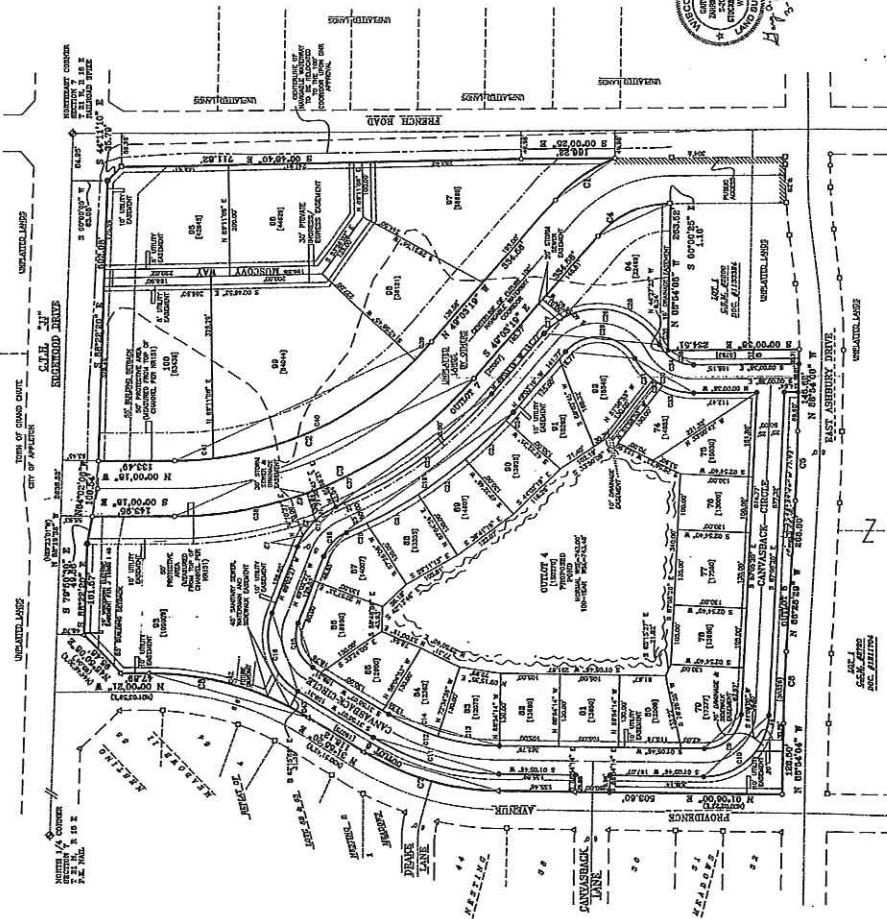
Certified October 4<sup>th</sup> 20 17

*Renee M. Pender*  
Department of Administration

[illegible]

ACCESS RESTRICTION CLAUSE

AS COME 1. HERBY TRACT LOTS 22, 25 AND 100. IN THAT NO OWNER, POSSESSOR, USER, LICENSEE OR OTHER PERSON SHALL HAVE ANY RIGHT OF DIRECT OR INDIRECT ACCESS TO OR EGRESS FROM ANY HIGHWAY OR OTHER EASES MAY HAVE ANY RIGHT OF EXCEEDED DRIVE (C.T. "J") IT IS EXPRESSLY AGREED THAT NO PERSON SHALL BE PERMITTED TO ENTER OR EXIT THE TRACT OR ANY PART THEREOF WITHOUT THE WRITTEN CONSENT OF THE PUBLIC AS PROVIDED IN SECTION 106.223, WISCONSIN STATUTES AND SHALL BE ENFORCEABLE BY THE DEPARTMENT ON ITS ASSIGN.

[illegible][illegible]

**Martenson & Eisele, Inc.**  
 Planning • Surveying • Engineering • Architecture  
 1377 Midway Road, Memphis, TN 38123  
 Phone (901) 731-0351 Fax (901) 733-0378  
 www.martenson-eisele.com  
 info@martenson-eisele.com  
 Drawing No. 597-005

REVISED 09/25/00  
This instrument drawn by: DMB, PLS S-CON



PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 7, TOWN 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

BEING SUCH THAT AS A CORRECT REPRESENTATION OF ALL EXTENSION BOUNDARIES OF THE LAND HEREINVESTED AND THE SUBDIVISION THEREOF MADE, I HAVE HAD SUCH LAND DIVIDED AND PLAT BY THE DIRECTION OF THE OWNER JOHN M. HANSEN.

AND I HAVE FULLY COPIED WITH THE BOUNDARIES OF CHAPTER 216 OF THE WISCONSIN STATUTES, AND THE PRESCRIPTION VARIATIONS OF THE CITY OF APPLESIN IN BRUNSWICK, ILLINOIS AND PARTING THE SAME.

WITNESSE MY HAND AND SEAL OF OFFICE, MAY 10, 1906.

TESTED AND FOUND TRUE TO THE QUALITY OF THE ORIGINAL. *[Signature]*

[illegible][illegible]

1741095  
Permit # 09-0087 AT 03:43PM  
MAY 26 2009  
CLATSOP COUNTY  
JANICE FLORE  
REGISTER OF DEEDS  
Fee Amount: \$36.00

REC'D 15  
FEB. 07, 2007 AT 03:43PM  
ATTORNEY K. MURPHY 39-40

OUTAWA COUNTY  
JUSTICE PLAZA  
BOSTON, MA 02111

[illegible]

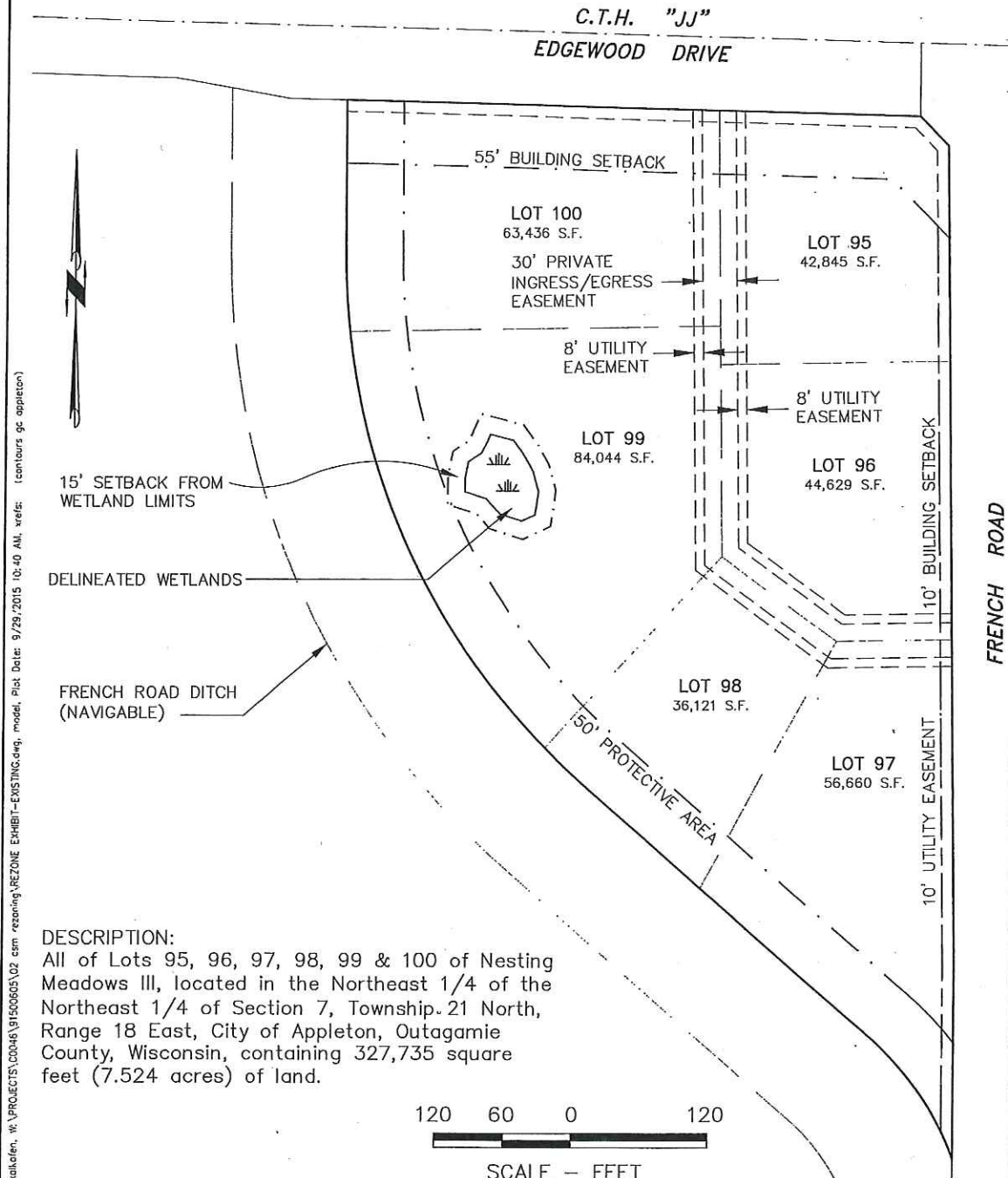
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**Martenson & Eisele, Inc.**  
*Founding - Surveying - Engineering - Architecture*  
 1377 Midway Road, Menasha, WI 54952  
 Phone (920) 733-6381 Fax (920) 733-6578  
[www.martenson-eisele.com](http://www.martenson-eisele.com)  
[info@martenson-eisele.com](mailto:info@martenson-eisele.com)  
 Drawing No. 597-005  
 Sheet 2 of 2

REVISED 03/05/06  
to instrument drawn by: DMG, PLS S-232

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1  
1  
1  
1  
1  
1

# EXISTING CONDITIONS



**McMAHON**  
ENGINEERS ARCHITECTS

Project No. C0046 9150605.02 Date SEPT., 2015 Scale 1"=120'

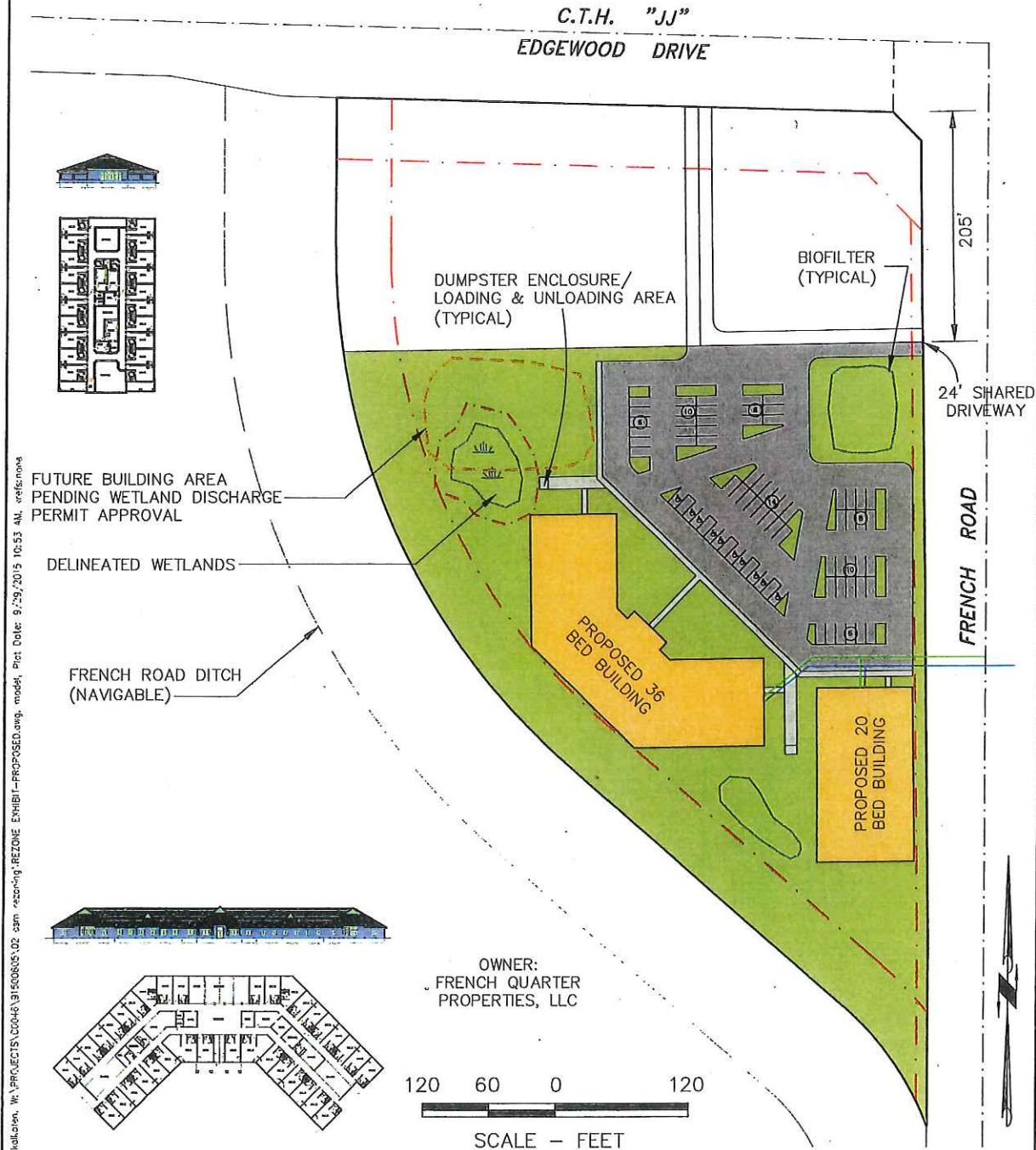
Drawn By CWK Field Book Page

1445 McMAHON DRIVE NEENAH, WI 54956  
Mailing: P.O. BOX 1025 NEENAH, WI 54957-1025  
Tel: (920) 751-4200 Fax: (920) 751-4284

File No.



# PROPOSED CONDITIONS



**McMAHON**  
ENGINEERS ARCHITECTS

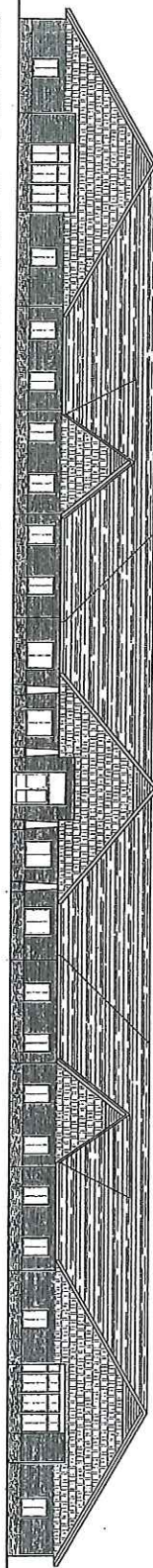
Project No. C0046 9150605.02 Date SEPT., 2015 Scale 1"=120'

Drawn By CWK Field Book Page

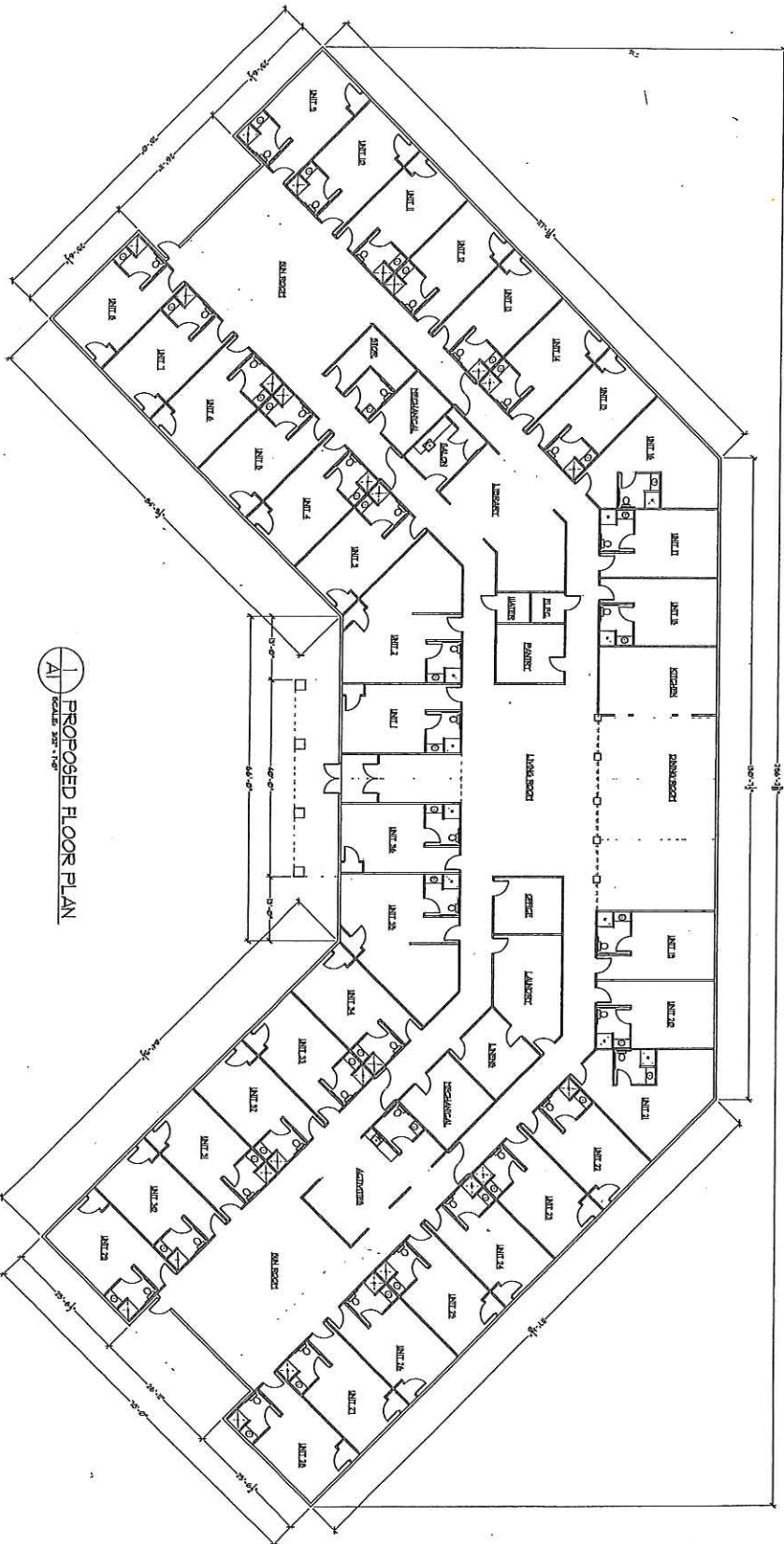
1445 McMAHON DRIVE NEENAH, WI 54956  
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Tel: (920) 751-4200 Fax: (920) 751-4284

# Proposed 36-unit Facility for Care Partners Assisted Living Appleton, Wisconsin

Exhibit E



2  
A1  
PROPOSED FRONT ELEVATION  
SCALE: 3/8" = 1'-0"



1  
A1  
PROPOSED FLOOR PLAN  
SCALE: 3/8" = 1'-0"

PROPOSED FRONT ELEVATION  
PROPOSED FLOOR PLAN

PROPOSED 36-UNIT FACILITY FOR  
CARE PARTNERS ASSISTED LIVING  
APPLETON, WISCONSIN

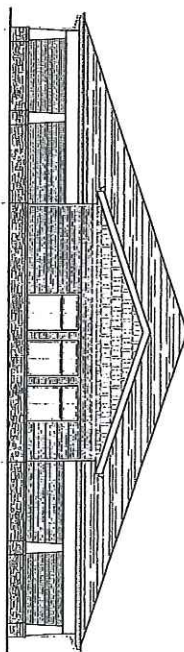
**CONSOLIDATED**  
CONSTRUCTION CO., INC.  
YOUR VISION. OUR PASSION.™

DATE: 4-23-2018  
DRAWN: PJD  
CHECKED: TEB  
SCALE: AS NOTED  
SHEET: 1  
JOB NO.: 20041  
OF 3 SHEETS

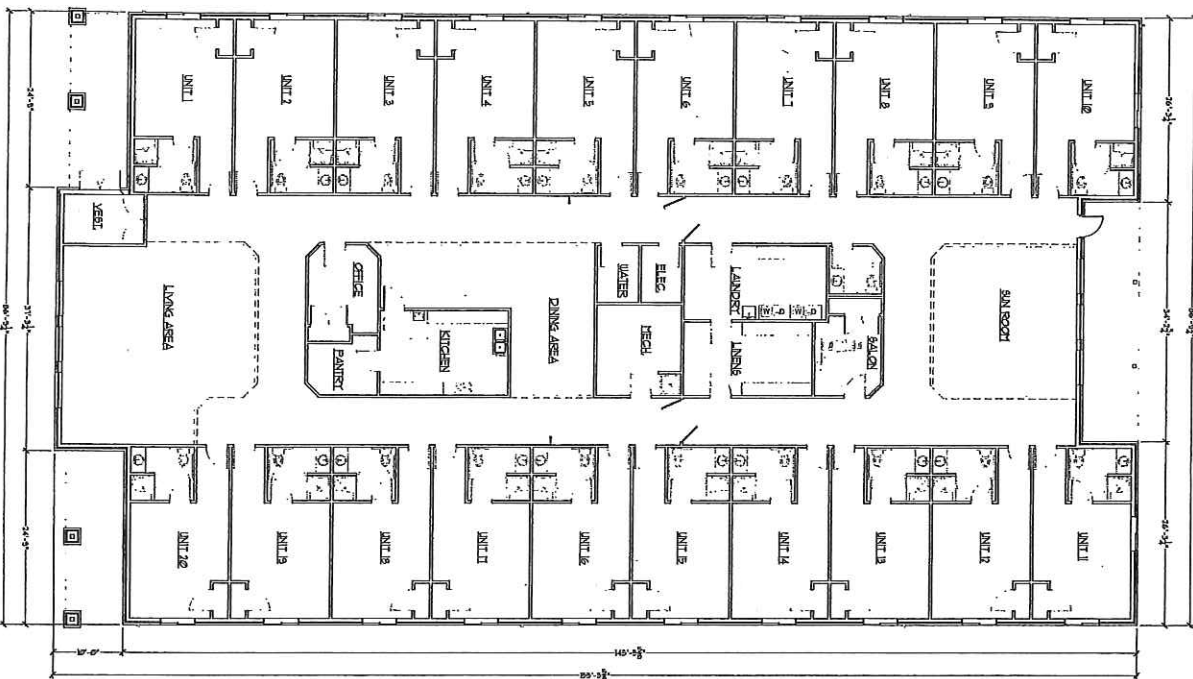


# Proposed 20-unit Facility for **Care Partners Assisted Living** Appleton, Wisconsin

EXHIBIT E



2 PROPOSED FRONT ELEVATION  
 SCALE: 1/8" = 1'-0"



1 PROPOSED FLOOR PLAN  
 SCALE: 1/8" = 1'-0"

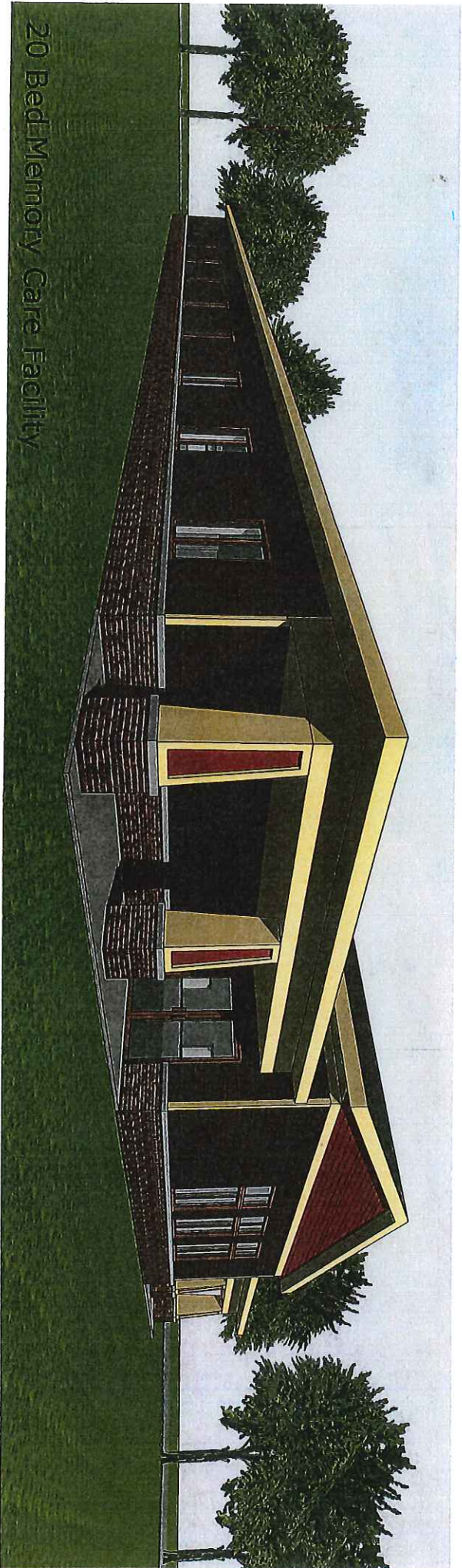
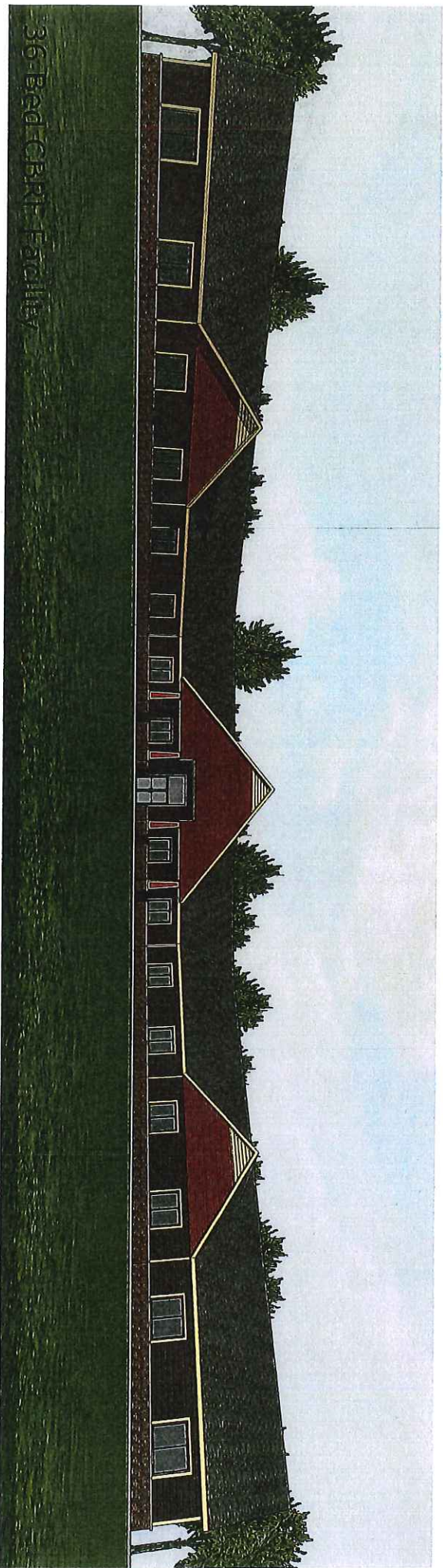
PROPOSED FRONT ELEVATION  
 PROPOSED FLOOR PLAN

PROPOSED 20-UNIT FACILITY FOR  
 CARE PARTNERS ASSISTED LIVING  
 APPLETON, WISCONSIN

**CONSOLIDATED**  
 CONSTRUCTION CO. INC.  
 YOUR VISION. OUR PASSION.™

DRAWN: PJD  
 CHECKED: TJB  
 DATE: 5-23-2005  
 SCALE: AS SHOWN  
 JOB NO.: 00040  
 SHEET  
**A2**  
 OF 3 SHEETS





**Consolidated Construction Co. Inc.**

**Care Partners Assisted Living**  
Appleton, WI



September 29, 2015

City of Appleton  
Community and Economic Development  
100 N. Appleton Street  
Appleton, WI 54911

RE: Legal Description of PD/C-2 Overlay Area

· Lots 95, 96, 97, 98, 99 & 100 of Nesting Meadows III Located in the Northwest ¼ of the Northeast ¼ of Section 7, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin, containing 327,735 square feet (7.524 acres) of land





September 29, 2015

City of Appleton  
Community and Economic Development  
100 N. Appleton Street  
Appleton, WI 54911

RE: PD/C2 Overlay for Care Partners/French Quarter Properties, LLC

The proposed character of PD overlay district we are proposing is an assisted living community for residents, primarily elderly, with a separate facility devoted to the care of residents with memory loss and dementia. The market demand study that was commissioned for this property confirmed that there is a strong need for additional assisted living units and specifically memory care units in this area.

The community we're proposing will look and function as a luxury residential home and complements the surrounding multi-family housing and single-family homes. We intend to incorporate the natural landscape in our design and improve upon it. The first phase of the development will be to the south of the property using a shared parking area and drive, minimizing the hard surface one would normally find in a commercial development.

The site is an irregular shape making it difficult to develop for other commercial uses. The layout of our senior living community, however, fits the site beautifully taking advantage of the natural surroundings. As with similar community based residential facilities (CBRF), parking counts and traffic are less than other commercial developments with the same density.

The addition of an assisted living community with memory care will provide a needed element for young and old seeking a safe, healthy, social and respectful place to live, work and play.

Thank you.



September 29, 2015

City of Appleton  
Community and Economic Development  
100 N. Appleton Street  
Appleton, WI 54911

RE: Project Summary

In a joint effort with Care Partners Assisted Living and Commercial Horizons we are proposing and assisted living community to be developed on the corner of French Road and County JJ.

The building will class 5A wood frame construction with fire suppression systems in each building. The interior will be fully finished with quality finishes for durability and resident comfort. The exterior of the buildings will be a combination of brick/stone, hardi-plank siding, trims and accents. Please reference the attached exhibit rendering of the exterior of the buildings.

The development will operate as a CBRF with a separate facility dedicated to memory care. Both facilities will be staffed 24 hours a day. Care Partners Assisted Living will employ 34 staff members to operate the two buildings.